

## **Incarcerated Women: Motherhood on the Margins**

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## **Introduction**

In this chapter, we investigate how motherhood is enacted within a specific structural context: that of the prison. In the context of imprisonment, a woman's status as mother is 'troubled' by two constraints. One is the obvious constraint posed by confinement and forced separation from her children. The other constraint is the way in which unorthodox motherhood (McMahon 1995) is called into question by both ideology and law. The cultural imperative of intensive mothering—in which motherhood is child-centered and exclusive of self-centered pursuits (Hays 1996)—is fundamentally challenged by the incarcerated mother (Sharp and Marcus-Mendoza 2001). Since both law and social policy are grounded in the ideology of intensive mothering within the nuclear, heterosexual family (Arendell 2000; Fineman 1995), the parenting woman who is a prisoner departs utterly from the “culturally privileged model” (McMahon 1995, 29) of motherhood. This departure, and social reactions to it, reminds us that although motherhood occupies an ideologically venerated position in society, the experiences of individual mothers are often devalued (Luker 2000).

Several decades of feminist scholarship has pursued the issue of motherhood in both objective and subjective senses. Motherhood has been examined as a focus of gendered regulation as well as an enactment of social identity. On the one hand, motherhood has been identified as a key component of women's inferior status under patriarchy (Roberts 1995). While on the other hand, motherhood has been examined as an account of female gender and social adulthood (McMahon 1995). The diversity of women's experiences in childbearing and childrearing is also reflected in an ever-increasing literature. Rather than a universalizing perspective on what motherhood is (or

should be), recent feminist work draws attention to the multiple meanings of “kinscripts” (Stack and Burton 1994, 33) and the various standpoints within which motherhood is conceptualized and realized (Arendell 2000). Motherhood is socially constructed in diverse ways as both a source of identity and a target of gendered social control. And, both identity and control come into sharper focus in the unique context of mothering in prison (Ferraro and Moe 2003)

This chapter suggests that women carry their gendered identities as mothers into prison with them, regardless of their previous behaviors. Knowing that they have already fallen short in terms of cultural expectations of motherhood, they face a huge problem in terms of self-image and identity. Their attempts to rescue their identities as mothers may lead them to be even more vulnerable to regulation by correctional authorities. Thus, the problems that incarcerated mothers face are both subjective and objective in nature. And, their difficulties have been made objectively worse by the increased legal penalties occasioned by contemporary sentencing policies and adoption law.

We argue that women have been in the cross hairs of the contraction of the welfare state and the increasingly more punitive approach to crime. The former has often meant a deepening of female poverty, especially among women of color (Burnham 2001). A more punitive approach to crime, drug-related crime in particular, has driven up the numbers of incarcerated women, the majority of whom are mothers. Indeed, studies show that incarcerated mothers, while at high risk for poverty and intimate violence, are incarcerated mainly for drug-related crimes (Greene, Haney, and Hurtado 2000). So profound an effect have harsher sentencing policies had on African American women, the war on drugs has been described as a war against black women (Bush-

Baskette 1998). Thus, the fact that so many mothers are incarcerated is predominantly due to social policies that have often resulted in unacknowledged consequences.

Some of these consequences have been the subject of scholarly investigation and we examine a number of them in this chapter. But our investigation has a second focus as well. Namely, we explore the impact of recent changes in child welfare laws that have had enormous consequences for poor mothers, growing numbers of whom are incarcerated. Given the contemporary articulation of corrections and child welfare systems in the lives of poor women, an examination of both systems best describes the plight of imprisoned mothers.

In the following section, we review studies of incarcerated mothers, including the ways in which women manage their families from prison. We then examine the impact of changes in child welfare law on this population, followed by a consideration of the growing extension of state control of poor mothers who are subject to involvement in both child welfare and correctional systems.

### *Studies of Incarcerated Mothers*

A large majority of women in jails, state, and federal prisons are mothers. Most are under 35, economically disadvantaged, undereducated, and disproportionately members of minority groups (Jensen and DuDeck-Biondo 2005; Mumola 2000). Approximately 64 percent of mothers confined in state prison and 84 percent of women in federal prison lived with their children prior to their incarceration, compared with 44 percent and 55 percent of fathers (Mumola 2000). Maternal incarceration is, of course, not new in the American experiment with the prison. Women's reformatories dating back

to the 19<sup>th</sup> century not only incarcerated parenting women but their chief means of regulating female inmates was reinforcing the identities of mother and spouse (Bosworth 1996; Carlen 1983; Hannah-Moffat 2001; Rafter 1990). However, with the dramatic increases in the incarceration of women, the issue takes on a scope not seen in the past. The rate of growth in the numbers of women serving sentences of at least one year has outpaced that of men for several decades, growing at a rate of nearly 757 percent between 1977 and 2004, compared to 388 percent for men. The average annual growth rates for women exceeded those for men in most of those years, showing a steady gap in the rate of growth of women for each of the years from 1992 to 2004 (Frost, Greene, and Pranis 2006).

While there is an expansive literature on parenting women in prison, a great deal of this consists of small-scale studies with fewer studies that are larger in scope (Glick and Neto 1977; McGowan and Blumenthal 1978). Emerging themes in this literature include the scope of maternal incarceration; the undermining of maternal identity and consequent distress related to separation from children; symbolic threats to gendered identity posed by incarceration; the connection between the feminization of poverty and imprisonment; the overlapping effects of criminalization and racial disparity on women; management of the maternal role and relations with children's caregivers; and the impact of child welfare regulation upon incarcerated mothers.

The first theme in the maternal incarceration literature is descriptive and comparative in nature. Despite concerns that women's improved occupational status would lead to changes in the seriousness and scope of their offenses, women are still incarcerated largely for traditional reasons. Women are less likely than men to be

incarcerated for a violent offense (35% vs. 53%) and more likely than men to have served time for a drug or property crime (59% vs. 40%) (Greenfeld and Snell 1999). Parenting female inmates are even less likely than their male counterparts to have been convicted of a violent offense (26% vs. 45.4%); they are much more likely to be serving time for drug and property crimes than incarcerated fathers (Mumola 2000). The feminization of poverty, women's offending, and their intersection with race are themes in many studies of incarcerated mothers (Ruiz 2002; Enos 2001, 1998). Studies of incarcerated women in general indicate that they have below average levels of education and employment experience (Bloom, Chesney-Lind, and Owen 1994). Mothers report low levels of employment prior to their incarceration, with fewer than half reporting being employed in the year prior to prison (Mumola 2000). In fact, most female offenders are young women of color with dependent children, poorly educated, and with few marketable skills (Ruiz 2002).

The next theme to emerge in studies of incarcerated mothers concerns the constraints upon motherhood posed by incarceration. Many studies (Baunach 1988; Galbraith 1998; LeFlore and Holston 1989; Owen 1998; Giallombardo 1966) point to the role that women's separation from children plays in the 'pains of imprisonment.' When studies of prison populations focused almost exclusively on men, the loss of freedom and autonomy were the focal concerns of this research (Sykes 1958). For inmate mothers, the loss of children and the nullification of any claims to the status of "good mother" were identified in many studies as one of the defining ways that men's and women's incarceration experiences differed (Jensen and DuDeck-Biondo 2005). A related literature describes the incarceration of pregnant women. According to a report by the

Bureau of Justice Statistics, 4% percent of state and 3% of federal female inmates said they were pregnant at the time of their incarceration (Maruschak 2008). Reproductive health services in most women's facilities are inadequate and pregnancy outcomes are often poor. However, there is no consensus about whether this is due to women's poor health profiles prior to prison, the conditions of incarceration, or both (Martin et al. 1997; Siefert and Pimlott 2001). Not only are women who give birth while incarcerated soon separated from their infants, but they may in fact be subject to traumatizing conditions during labor and delivery such as placement in shackles or other restraints (Amnesty International 2000).

Another dimension of the literature focuses on motherhood as gendered identity—one threatened symbolically due to the socio-cultural impact of criminalization upon women. Criminal women are subjected to a heightened stigmatization for violating both the criminal code and gendered expectations about women's behavior (Schur 1983). Incarcerated mothers are considered even more blameworthy—in the eyes of others as well as their own. Geiger and Fischer (2005) compared identity negotiation among male and female offenders and their justifications for offending. Within the normative perspective of street life and its context, a range of deviant identities could be embraced or, at least, justified by both men and women. However, all attempts at justification failed when women were confronted with the label of "failed mother." Several studies analyze the discourse of incarcerated mothers, especially themes in the emergent construction of motherhood. The constraints of prison on the practice of motherhood, in conjunction with women's troubled childbearing experiences in the past, make it all the more likely that women attempt to maintain whatever aspects of this self-image than can. Thus, they may

attempt to describe their intentions and behaviors in ways that are more consistent with cultural expectations associated with being a good mother (Jensen and DuDeck-Biondo 2005; Forsyth 2003). This may have the result of making women even more vulnerable to regulation while in prison. Correctional authorities may well exploit the incarcerated mother's attempts to salvage her identity by ordering her to attend parenting classes or by withholding visitation for disciplinary reasons (Brown 2003). Constructing the subjective aspects of motherhood while in prison has resulted in important sociological insights into the construction of gendered identity. However, women also deal with the objective and practical aspects of motherhood while incarcerated. This they do primarily by proxy, through engaging with their families at a distance, as described in the following section.

### *Managing Motherhood in Prison*

The barriers posed by prisons to the enactment of motherhood are substantial. Literature suggests that maintaining bonds with children during a woman's incarceration poses a far more complicated set of problems than for men. There is no legal basis per se for correctional systems to interfere with visitation or other forms of communication. Most jurisdictions acknowledge the constitutional rights of parents to access to their children, although not all incarcerated parents may be aware of their rights or have recourse to legal assistance (Lewis 2004). However, barriers to the enjoyment of these rights exist that are sometimes related to the organization of the prison system itself and sometimes reside in the structure of gendered roles.



Women's prisons have historically been few in number and often distant from their families, posing a hardship for visitation by family members, caregivers, and children. Travel distances and associated costs are the main reasons for low visitation rates (GAO 1999). In 1997, more than half of incarcerated mothers reported having had no visits with their children during their time in prison. This same study reported that most mothers kept in touch by weekly phone calls (27%) or by letters (35.6%) (Mumola 2000). Although most women prisoners are classified as minimum-security inmates, the majority is held in medium or maximum-security facilities because their small numbers in each state do not justify the expense of building more women's prisons. The conditions of maximum security may affect the development of parent-child programming and impact the experience of visiting children at these prisons.

The primary reason cited by Bloom and Steinhart (1993) for infrequent visitation or non-visitation by children of mothers in their study was the distance between the child's residence and the correctional facility, as noted elsewhere. Over 60% of the children lived more than 100 miles from the mother's place of incarceration. Women's prisons are often located in rural areas far from urban centers where the family members generally reside, and they are often inaccessible by public transportation. Incarcerated women are usually placed farther from their homes than their male counterparts because there are fewer prisons for women in most states.

Some differences in the frequency of visits were noted by Bloom and Steinhart between children who lived with their mothers prior to arrest and those who did not. Children who lived with their mothers prior to arrest were nearly twice as likely to visit their mothers in jail or prison (54%) as children who did not (28%). Even so, mothers and

children living together prior to arrest had an overall no-visit rate of 46 percent. Letters were the mothers' main form of contact with their families, followed by telephone calls, as noted above. However, the rates of these institutional phone calls (which must be made collect) are exorbitant and represent a substantial burden to caregivers.

The lack of contact between children and their incarcerated mothers appears to worsen over time for mothers but not fathers. Koban (1983) found that the women prisoners in her study experienced a significant disadvantage compared to male prisoners in attempting to maintain consistent contact with their children and the caregivers of these children—a factor that was associated with problems during reunification with their children. Koban reported that while more mothers than fathers received at least one visit from their children during incarceration, the frequency of parent-child visits decreased after one year for mothers, while it remained stable for fathers. The general situation for maternal visits may have worsened with the increase in women's incarceration. Only 8 percent of the women surveyed in the original, 1978 *Why Punish the Children?* study had no visits from their children (McGowan and Blumenthal 1978). However, the 1993 reprise of that study by Bloom and Steinhart found that 54 percent of the children never visited their incarcerated mothers, a percentage that remains unchanged in state prisons (see Mumola 2000).

The Bureau of Prisons attempts to place all federal inmates in facilities within 500 miles of their release residences, but due to their small numbers, women incarcerated in one of the 15 federal facilities housing females are more likely than men to be at some distance from family (GAO 1999). The emergent trend of transferring inmates to prisons in other states in an effort to make more bed space available has compounded these

difficulties. For approximately a decade, the State of Hawai'i has transferred male and female inmates to correctional facilities on the mainland, foreclosing for most, the possibility of visitation. Just under a dozen states have similar practices, adding to the problems associated with distance (Brown 2006).

Finally, some mothers do not want their children to visit them in prison. They may feel shame or embarrassment related to their children's awareness of their criminal involvement; indeed, some choose not to tell their children that they are in prison. The extent of powerlessness experienced by some mothers who are separated from their children is so severe that they sever their emotional ties to their children out of sheer self-preservation (Bloom and Steinhart 1993). When children do visit their mothers in prison, contact may be quite limited. For example, some prisons offer minimal visiting opportunities or have stringent rules regarding legal guardianship, which make it difficult for the children's caregivers to bring them to see their mothers. In recognition of the general "unfriendliness" of prison to families, some correctional institutions have opened children's centers, also known as family preservation centers. At least 10 states permit children to visit overnight with their mothers (Kauffman 2001).

### *Child Custody and Caregivers*

The effects of institutional, cultural, and systemic dynamics that subordinate women are clearly revealed when gendered roles meet the reality of women's incarceration. The roles associated with contemporary childrearing make themselves felt in the dynamics of maternal incarceration and patterns of child custody. Fathers (90% in state prisons) were far more likely to report that the child was in the care of its other

parent compared to mothers (28% in state prisons). And, children of state inmate mothers were far more likely to go into the foster care system compared to the children of fathers (1.8% vs. 9.6%) (Mumola 2000). While the children of incarcerated fathers for the most part remain in the custody of their mother during his entire incarceration, only about a quarter of children of incarcerated women remain with the same caregiver (Koban 1983). In the more recent study by Mumola (cited above), the child's grandparent was the most likely caregiver (53%) along with other relatives (26%) when a mother is incarcerated. Therefore, a mother's incarceration means that she is dependent upon relative caregivers to be allies in the maintenance of a mother's ties to her children.

Relative caregivers (whether foster care or kin) vary in their ability to support the incarcerated woman's relationship with her children. Reluctance on the part of a caregiver to allow visitation was cited by Bloom and Steinhart (1993) as a reason for lack of mother-child contact. Caregivers are sometimes angry with the mother for her prolonged periods of substance abuse, criminal activity, or repeated incarcerations, and may believe that it is detrimental for the child to have contact with her or his mother. Some foster parents are reluctant to assist children in maintaining contact with their imprisoned mothers due to concern about the mother's "fitness" as a parent or fear of losing their own relationship with the children (Bloom and Steinhart 1993).

Caregivers to the children of incarcerated women share their economic and other problems since they often occupy similar social positions. While most children are placed with relatives, these family members are often already caring for their own families under difficult circumstances. In poor, urban African American communities ravaged by epidemics of crack-cocaine and HIV/AIDS, the prevalence of grandmothers

caring for grandchildren has been dealt another blow by the incarceration of their daughters (Ruiz 2002). Even grandparents who were not economically disadvantaged acquire children of their incarcerated children at a time of declining health and income. Indeed, surrogacy itself may result in declining health for these caregivers (Minkler, Roe, and Robertson Beckley 1994).

Recent studies building on the above (particularly those examining racial and ethnic differences in child living situations) have presented more complex analyses of issues concerning incarcerated mothers and their children. Sandra Enos (2001) explores how mothers “manage” motherhood from prison, examining how they go to great lengths to preserve their roles and identities as mothers. She demonstrates how racial and cultural factors exert an influence both before and during incarceration, shaping how women enact motherhood from prison. According to Enos, for African American women, pathways to prison did not exclude family networks—and sometimes were contingent upon family ties. Both African American and Hispanic women were more likely to have preserved family ties despite their legal troubles and were more often able to count on family help with children than imprisoned white women.

### *Incarcerated Mothers and the Child Welfare System*

When mothers are unable to place children with relatives or friends, the child welfare agency having jurisdiction will place them in foster care. Children of incarcerated parents make up a growing percentage of all children in foster care, with some estimates ranging from 20 to 30 percent (Johnson and Waldfogel 2002; Ehrensaft et al. 2003). It is generally estimated that between 7% and 13% of the children of incarcerated mothers are

in foster care with non-relatives (Bloom & Steinhart, 1993; McGowan & Blumenthal, 1978; Mumola, 2000). While correctional systems were never designed with family concerns at the forefront, child welfare systems likewise do not articulate easily with prisons. Nor was the incompatibility of these two systems much questioned until recent dramatic increases in the rate of women's incarceration.

Managing motherhood from prison is fraught with difficulties, particularly when children are placed for care within the child welfare system. Shapiro, Vogelstein, and Light (2001) report both attitudinal and practical barriers exist among caseworkers who are reluctant to bring children to a correctional facility. Some believe that prison visits have a negative impact on children. In any case, long distances (as reported in this study of New York State) all too often make visitation impractical. Of course, the importance of visitation and the maintenance of the parental bond cannot be overstated with respect to children in care—if mothers are to avoid the termination of their parental rights while in prison (Hayward and DePanfilis 2007).

Various authorities (Barry, Ginchild, and Lee 1995; Henriques 1982) have found that contact between caseworkers and mothers is strained and infrequent and that mothers are uninformed about their legal status and responsibilities. Beckerman (1994) drew attention to this in a study which found that the prerequisite conditions deemed necessary for a mother's involvement in permanency planning—including frequent interaction and collaboration between caseworker and parents of children in foster care—are not present among imprisoned women. Over the past decade, this issue has become all the more problematic under current federal law that emphasizes permanency planning, often at the expense of reunification. We turn next to a consideration of the impact of this law.

### *The Impact of ASFA*

The Adoption and Safe Families Act (ASFA), passed in 1997, altered the landscape of permanency planning for children in foster care, accelerating the time frame within which family reunification must take place. Under the revised legislation, agencies are required to move to permanency planning, including termination of parental rights, in cases where children have been in foster care for fifteen of the past twenty-two months. Unable to participate as required in normal family reunification service plans (such as parent education, counseling, drug treatment, and job training) incarcerated mothers are at high risk of having their parental rights terminated. Imprisoned women are too frequently unable to involve themselves in case planning and their children's lives as directed by the child welfare agency. They may not be apprised of hearings or have a chance to attend hearings they are advised about in advance. Communications with the child's case worker may be difficult or impossible for the mother to manage (Halperin and Harris 2004).

Some of the collateral consequences of mass incarceration and its effects on families have spread to other public agencies—the child welfare system is a primary example. The relationship between agencies of child welfare and correctional institutions is a new arena of exploration—one where individual child welfare caseworkers and their departments are confronted with the realities of an unfamiliar prison system. Prisons traditionally are closed institutions which present obstacles to communications with the outside world. When an incarcerated mother's children are placed in foster care, the normal procedures associated with case management and planning are subverted to the

discipline and regulations of the prison bureaucracy. Mothers who attempt to maintain their parental rights from prison, as well as their children's case managers, are often both operating in uncharted territory.

Beckerman (1998) noted that until the numbers of incarcerated women reached substantial proportions, the number of such children in foster care was small and workers had little experience dealing with these cases. There is very little institutional experience or formal intra-systems policy incorporated into caseworker practice. It is unclear to what extent a mother can fulfill the terms of the case plan from prison, since she has little control over whether or when she might receive the required job training, mental health, or substance abuse treatment mandated by her service plan. Since a permanency plan must be in place 12 months after the child goes into foster care, this timeline, combined with the difficulties in coordinating case planning with an incarcerated mother, make termination of parental rights all the more likely (Halperin & Harris, 2004).

The Child Welfare League of America's (CWLA) 1998 survey of 38 state child welfare agencies underlined the fracture between the agencies and the corrections systems which have custody of parents. States had little information on numbers of children in the system whose parents had histories of being in custody. Among the very few states that could estimate the number of children in care who had incarcerated parents, various estimates (1.6% to 29.5%) were offered. This scanty data provided little in the way of demographics, type of program children were enrolled in (child protective services, independent living, adoption services), or length of stay—all crucial variables. Only a handful of states gather information about parental incarceration routinely upon intake and assessment, although other states indicated at the time of the survey that plans



were in place to begin collecting such data. Finally, the CWLA study found that policies of states regarding this issue varied a great deal—with only six states having specific policies involving incarcerated parents, although 27 states had policies that encouraged the involvement of incarcerated parents in permanency planning. These findings amplify the idea that there is, as Halperin and Harris (2004) suggest, a “policy vacuum” regarding these children and their mothers whom the state has in custody. While a handful of states have some proactive approaches in place, in most jurisdictions practices are doubtlessly arbitrary and uninformed by any specific policies based on sound institutional knowledge of the problem.

In response to this issue, the Child Welfare League of America has published a handbook for child welfare personnel covering topics pertinent to both child welfare and correctional systems (Wright and Seymour 2000). Admittedly, during the twelve month period when permanency service plans are implemented, case workers may have difficulty in determining whether the incarcerated parent will be able to provide a reasonably safe and stable home. The CWLA manual advises caseworkers to examine issues such as the mother’s interest in visitation, the quality of these visits, and alternative forms of communication when visits are not possible, and involvement with the child’s life. Additionally, as with any parent subject to these procedures, incarcerated mothers need to comply with treatment programs that are part of the service plan and to be involved in hearings. Since reintegration services for inmates leaving prison for the community are inadequate, caseworkers may be confused by the question of whether a woman can set up a stable home after prison. In view of the fact that many women are subject to prison sentences beyond 22 months and that inmates have little control over

their lives, it is clear that even with the efforts of conscientious caseworkers, inmate mothers are at high risk for the termination of their parental rights.

Termination of parental rights, now even more common since the passage of ASFA, is having a disturbing impact on incarcerated mothers. As onerous as it may be for mothers living in the community to comply with ASFA requirements, the short deadline means even more severe hardship for incarcerated mothers who serve an average of 18 months. The Adoption and Safe Families Act's strict time limits for permanency hearings and initiating petitions to terminate parental rights, undermines families with an incarcerated parent and children in foster care. A recent study suggests ASFA provisions have had significant effects on incarcerated parents, based on the "significant overall increase" between 1997 and 2002 in the number of cases in which parental rights have been terminated (Lee, Genty, and Laver 2005).

Although child welfare agencies and correctional systems are unwilling bureaucratic partners in the enterprise of assisting families, the incarcerated mothers we have been discussing so far often find themselves caught up by both systems. The same factors that place women at risk for offending and prison, namely poverty, substance abuse, mental illness, and marginality, mirror those that put women under the scrutiny of child welfare systems. In the following section, we examine a seldom-explored area: the overlap of these two systems of control in women's lives.

### *Overlapping Systems, Overlapping Controls*

The state's control has been extended in scope through the expanded use of incarceration and categorically through an increasingly punitive child welfare system

(Brown 2003). Prison systems and child welfare systems converge in the lives of poor women to create an ever-expanding correctional population. Just as child welfare policies have criminalized and undermined the families of African Americans and other women of color (Roberts 2002), prison systems are being filled with many of the same families. These developments are both forms of what Renny Golden refers to as “traumatic state intervention” (2005, 3) into the lives of poor women and their children. There is an emergent feminist literature on the gendered nature of welfare and correctional interventions (see Haney 2004), but few studies have examined specifically the intersection of these interventions in women’s lives (Brown and Bloom 2009).

The politics that have transformed systems of welfare and punishment nationally have created an environment in which increasing numbers of women have been drawn under state control. Parenting women are not only imprisoned but frequently find themselves under the control of child welfare agencies. This process of dual criminalization—of women as offenders and as subjects of child welfare investigations—has had a particularly deleterious impact on minority women (Roberts 2002). While mass imprisonment has caught up increasing numbers of poor women, especially women of color in jails and prisons, harsher child welfare regulations threaten to sever forever the ties of mothers to their children. Given the structure of poverty, race, and gender in the United States, the child welfare regime of control is likewise racialized. Women who are involved in both of these systems find themselves subjected to alternating forms of coercive control by welfare and correctional institutions. As Haney (2004) argues, state systems such as corrections and welfare in general are gendered regimes, where women make up the majority of one (welfare) and the smaller portion of the other (prison).

Haney's analysis of welfare (now reconfigured as Temporary Aid to Needy Families), we suggest, applies equally well to the child welfare system.

The evidence for these overlapping state controls is circumstantial at present because the movement of women through child welfare systems and criminal justice control has not been studied. Goerge and colleagues (2000) documented the movement of children between income maintenance programs and foster care, finding that a majority of children in foster care were from state welfare rolls. We know very little about the degree to which parental incarceration is part of this picture. While child maltreatment is clearly not confined to disadvantaged families, the rolls of child protective agencies across the country are filled with the poor and ethnic minorities (Jones 1997). Institutionalized racism, not unlike that which has filled correctional institutions, has populated child welfare system with children of color (see Roberts 2002). Parents who become involved in the criminal justice system often have risk factors for a range of issues affecting their abilities to parent (Johnston 2006). Although we know that the population of imprisoned mothers has a large interface with those whose children are in foster care, more needs to be known about the sequencing of the involvement in systems of corrections versus child welfare.

Parenting women who become incarcerated resemble those who become caught up in the child welfare system in terms of demographics such as poverty and race. As well, they share similar biographical narratives in terms of violence at the hands of intimates, substance abuse, trauma, and economic marginalization. Women who are imprisoned are (or often have been) subject to child welfare involvement, although we have few studies of the extent to which this is true. Brown and Bloom (2009) found that

among the group of 203 parenting women on parole in Hawai'i in 2001, nearly 24 percent had records of child welfare agency investigation at the time of their sentencing. Nearly 16 percent of these women had their parental rights terminated for at least one child. The impact of the termination of parental rights on outcomes for women involved in the criminal justice system needs also to be documented.

### *Conclusion*

This chapter has reviewed a burgeoning literature on incarcerated mothers. It is common for women whose pathways to prison often include exposure to violence, alienation from education and employment, mental illness, and substance abuse, to also lose control over the conditions of their reproductive lives. This may be manifested by early pregnancy, lone motherhood, economic dependence, and involvement in systems of social welfare control, including child welfare. The final assault on their parenting situation comes when they are incarcerated and lose most of their remaining control over their lives and those of their children. Once incarcerated, those who attempt to manage motherhood from a prison cell not only have to adapt to the prison regime but to the condition of mothering from a distance as well (Owen 1998).

The extent to which women are successful in this enterprise often depends upon their position in a network of kin and caregivers who are able and willing to help. As we have seen, the management of motherhood from prison and the availability of assistance are highly correlated with race and class. The racial disparities in both prison populations and in the populations of children in foster care point to the heavier risk that women of

color, overall, face in having their children placed and, subsequently, losing their parental rights.

We have examined the overlapping systems of women's incarceration and exposure to child welfare control, noting that the risk factors along the pathways women journey to prison are very similar to those that place them at risk for child welfare system involvement. Unknown numbers of women have been subject to child welfare investigation prior to or coinciding with becoming involved in the criminal justice system. But we have raised more questions than answers. The causal dynamics that precipitate the overlap between the two populations have not been examined. For instance, does involvement in the child welfare lead to greater detection of criminal behavior? Or, do variables such as poverty, mental illness, domestic violence, and substance abuse amount to the conditioning factors leading to both outcomes? The exploration of child welfare services as a gendered disciplinary system should be coupled with studies of women's criminalization. We recommend more qualitative studies to examine how child welfare agents work (or fail to work) with correctional facilities. As well, we call for more prospective studies of women's pathways to offending with particular emphasis on the role that contact with child welfare agencies may play in their criminalization.

Finally, in view of the fact that the majority of incarcerated women are at low risk for committing serious crimes, we call for an extensive decarceration of women's correctional facilities and an expansion of women-centered programming in the community. In particular, substance abuse treatment that accommodates women with children should be greatly expanded. The social costs of incarcerating parents, and

mothers in particular, are only now being calculated, showing substantial harm to the incarcerated woman, her family, and the community. While much of the cost for mass incarceration is borne by society, substantial costs are incurred by the inmate's family and the inmate herself in terms of lost quality of life, reduced employment prospects, and shifts in child care (Lengyel 2006). Therefore, we suggest that the task ahead may reside in humanizing the problem of incarcerated women and their children while continuing to document the extensive collateral effects of mass imprisonment.

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